



EDINBURG CITY COUNCIL
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS

Location: City of Edinburg
City Hall-Council Chambers
415 West University Dr.
Edinburg, Texas 78541
OCTOBER 05, 2018

SPECIAL MEETING AGENDA
12:00 PM

- 1. CALL TO ORDER, ESTABLISH QUORUM**
- 2. CERTIFICATION OF PUBLIC NOTICE**
- 3. ORDINANCES**

A. Consider an ordinance rescinding Ordinance No. 2018-4236 of the City of Edinburg, Texas which declared as surplus property, a certain tract of real property and improvements located along the South Side of Freddy Gonzalez West of Business 281, known as Ebony Hills Golf Course being a 66.886 acres gross consisting of: 20.00 acres out of Lot 9, Section 274; 39.557 acres out of Lot 12, Section 271; 8.329 acres out of Lot 11, Section 271; Texas-Mexican Railroad Company Survey Volume 24, PG. 168 H.C.D.R. City of Edinburg, Hidalgo County, Texas which authorized the sale thereof; authorizing the Mayor to sign any documents necessary to effectuate the rescission of Ordinance No. 2018-4236; providing for waiver of three separate readings; containing a repealer clause; containing a severability clause; providing for publication and effective date; and ordaining other provisions related to the subject matter hereof.

4. ADJOURNMENT

I hereby certify this Notice of a City Council Special Meeting was posted in accordance with the Open Meetings Act, at the City Offices of the City of Edinburg, located at the 415 West University entrance outside bulletin board, visible and accessible to the general public during and after regular working hours. This notice was posted on October 02, 2018 at 12:00 pm.

By:

Ludivina Leal, City Secretary
City of Edinburg, Texas

Disability Access Statement

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact the City Secretary Department at (956) 388-8204 at least two business days prior to the meeting so that appropriate arrangements can be made. The accessible entrance and accessible parking spaces are located at Edinburg City Hall, 415 West University.

ORDINANCES

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COUNCIL SPECIAL MEETING
OCTOBER 05, 2018

Consider an ordinance rescinding Ordinance No. 2018-4236 of the City of Edinburg, Texas which declared as surplus property, a certain tract of real property and improvements located along the South Side of Freddy Gonzalez West of Business 281, known as Ebony Hills Golf Course being a 66.886 acres gross consisting of: 20.00 acres out of Lot 9, Section 274; 39.557 acres out of Lot 12, Section 271; 8.329 acres out of Lot 11, Section 271; Texas-Mexican Railroad Company Survey Volume 24, PG. 168 H.C.D.R. City of Edinburg, Hidalgo County, Texas which authorized the sale thereof; authorizing the Mayor to sign any documents necessary to effectuate the rescission of Ordinance No. 2018-4236; providing for waiver of three separate readings; containing a repealer clause; containing a severability clause; providing for publication and effective date; and ordaining other provisions related to the subject matter hereof.

STAFF COMMENTS:

The City Council is recommending the creation of an Ebony Hills Golf Course Ad-Hoc Committee at the October 02, 2018 City Council meeting to explore other public purpose uses for the future of Ebony Hills Golf Course. Therefore, to allow for community involvement and collaboration between the Ad-Hoc committee and the City Council, the City Council deems it appropriate to rescind Ordinance No. 2018-4236 which declares Ebony Hills a surplus property and authorizes the sale thereof.

STAFF RECOMMENDATION:

Approve an ordinance rescinding Ordinance No. 2018-4236 of the City of Edinburg, Texas which declared as surplus property, a certain tract of real property and improvements located along the South Side of Freddy Gonzalez West of Business 281, known as Ebony Hills Golf Course being a 66.886 acres gross consisting of: 20.00 acres out of Lot 9, Section 274; 39.557 acres out of Lot 12, Section 271; 8.329 acres out of Lot 11, Section 271; Texas-Mexican Railroad Company Survey Volume 24, PG. 168 H.C.D.R. City of Edinburg, Hidalgo County, Texas which authorized the sale thereof; authorizing the Mayor to sign any documents necessary to effectuate the rescission of Ordinance No. 2018-4236; providing for waiver of three separate readings; containing a repealer clause; containing a severability clause; providing for publication and effective date; and ordaining other provisions related to the subject matter hereof.

REVIEWED BY:

PREPARED BY:

City Manager

/s/Carla M. Rodriguez

Carla M. Rodriguez
Assistant City Manager

/s/Ricardo Gonzalez

Ricardo Gonzalez
City Attorney

RECORD OF VOTE:

APPROVED

DISAPPROVED

TABLED

NO ACTION

Jorge Luis Salinas
Councilmember

Gilbert
Enriquez
Councilmember

Richard R. Molina
Mayor

Homer Jasso, Jr.
Councilmember

David Torres
Mayor Pro Tem

ORDINANCE NO. _____

ORDINANCE RESCINDING ORDINANCE NO. 2018-4236 OF THE CITY OF EDINBURG, TEXAS WHICH DECLARED AS SURPLUS PROPERTY, A CERTAIN TRACT OF REAL PROPERTY AND IMPROVEMENTS LOCATED ALONG THE SOUTH SIDE OF FREDDY GONZALEZ WEST OF BUSINESS 281, KNOWN AS EBONY HILLS GOLF COURSE BEING A 66.886 ACRES GROSS CONSISTING OF: 20.00 ACRES OUT OF LOT 9, SECTION 274; 39.557 ACRES OUT OF LOT 12, SECTION 271; 8.329 ACRES OUT OF LOT 11, SECTION 271; TEXAS-MEXICAN RAILROAD COMPANY SURVEY VOLUME 24, PG. 168 H.C.D.R. CITY OF EDINBURG, HIDALGO COUNTY, TEXAS WHICH AUTHORIZED THE SALE THEREOF; AUTHORIZING THE MAYOR TO SIGN ANY DOCUMENTS NECESSARY TO EFFECTUATE THE RESCISION OF ORDINANCE NO. 2018-4236; PROVIDING FOR WAIVER OF THREE SEPARATE READINGS; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City owns a certain tract of real property and improvements located along the south side of Freddy Gonzalez west of Business 281, being a 66.886 acres gross consisting of: 20.00 acres out of Lot 9, Section 274; 39.557 acres out of Lot 12, Section 271; 8.329 acres out of Lot 11, Section 271; Texas-Mexican Railroad Company Survey Volume 24, PG. 168 H.C.D.R. City of Edinburg, Hidalgo County, Texas (hereinafter referred to as the “Property”); and

WHEREAS, the City Council approved Ordinance 2018-4236 and declared the real Property surplus; authorized the sale thereof and authorized the Mayor to execute documents relating thereto; and

WHEREAS, the City Council approved the creation of an Ebony Hills Golf Course Ad-Hoc Committee at the October 02, 2018 City Council meeting to explore other public purposes Ebony Hills Golf Course could serve in the future; and

WHEREAS, in order to allow for community involvement and collaboration between the Ad-Hoc committee and the City Council, the City Council deems it appropriate to rescind Ordinance No. 2018-4236 which declared Ebony Hills a surplus real property and authorized the sale thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDINBURG, TEXAS, THAT:

SECTION I: INCORPORATION OF RECITALS. The City Council finds that the statements set forth in the Recitals of this Ordinance are true and correct and the City Council hereby incorporates such Recitals as part of this Ordinance.

SECTION II: The City Council finds that all requirements of law have been met in the passing of this Ordinance.

SECTION III: The City Council rescinds Ordinance No. 2018-4236 in its entirety.

SECTION IV: The City Council hereby authorizes the Mayor to sign any documents necessary to effectuate the rescission of Ordinance 2018-4236.

SECTION V: WAIVER CLAUSE. The requirement of three separate readings of this Ordinance is hereby dispensed with by a vote of not less than a majority of all the members of the City Council.

SECTION VI: REPEALER. This Ordinance shall be cumulative of all other ordinances dealing with the same subject any provision of any ordinance in direct conflict with any provision of the ordinance is hereby repealed, and the provisions of this Ordinance shall supersede any provisions in conflict herewith; all provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

SECTION VII. SEVERABILITY. If any section, part or provision of this Ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then in

that event, it is expressly provided and it is the intent of the City Council in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION VIII. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED and APPROVED at a special meeting of the City Council of the City of Edinburg, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Ann., Government Code, Section 551.041, on the 5th day of October, 2018.

CITY OF EDINBURG

BY: _____
Richard R. Molina, Mayor

ATTESTED:

BY: _____
Ludivina Leal, City Secretary

APPROVED AS TO FORM:
Oxford and Gonzalez

BY: _____
Ricardo Gonzalez, City Attorney